

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ONDRAWS HOSLEY,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

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CIVIL ACTION NO. 5:09-CV-379(MTT)

ORDER

This case is before the Court on the Recommendation (Doc. 16) of United States Magistrate Judge Charles H. Weigle on the Plaintiff's Complaint (Doc. 1) seeking review, under 42 U.S.C. §§ 405(g) and 1383(c), of the Commissioner of Social Security's denial of the Plaintiff's application for Social Security disability benefits for lack of disability. The Magistrate Judge, having reviewed the case pursuant to 28 U.S.C. § 636 and 42 U.S.C. § 405(g), recommends granting the Plaintiff's Complaint and remanding the case to the ALJ for further consideration. The Magistrate Judge recommends this because the denial of benefits relied on a residual functional capacity determination that failed to account for all of the Plaintiff's impairments. Therefore, it is unclear whether the Commissioner's finding that Claimant is not disabled is supported by substantial evidence. No objections were filed by either party.

The Court has reviewed the Recommendation, and accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. The Complaint (Doc. 1)

is **GRANTED**, and the case is **REMANDED** according to the instructions in the Recommendation.

SO ORDERED, this the 18th day of March, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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